

**BOARD OF PAROLE HEARINGS
Executive Board Meeting
Monday, May 18, 2015**

OPEN SESSION

(All times are approximate and subject to change.)
http://www.cdcr.ca.gov/BOPH/meeting_agenda.html

1515 K Street
Executive Board Meeting Room
Suite 550
Sacramento, California 95814

START TIME: 1:00 p.m.

AGENDA

MEETING CALLED TO ORDER

1. Roll Call

CONSENT CALENDAR

2. Approval of the Draft Minutes from the April 20-24, 2015 Board of Parole Hearings Executive Board Meeting and Training Conference
3. Approval of the Parole Suitability Hearings and Backlog Report for May 2015
4. Approval of Motions for Hearings with Procedural Errors – No motions to consider
5. Public Comment on Consent Calendar – Comments are limited to five minutes. Items on the consent calendar are considered routine and non-controversial. All matters are approved by one motion unless a Board Member requests separate action.

REPORTS

6. Report from Executive Officer
 - Outreach Update
 - Association of Paroling Authorities International Conference
 - Legislative Update
 - Stakeholders Conference Call: June 1, 2015
7. Report from Chief Counsel
 - *In re Young* (2015) 232 Cal.App.4th 1421
 - Proposed Administrative Directive Regarding the Role of Victim Support Persons, presented by Susie Booth, Staff Attorney
 - SB 260 Regulations Update, presented by Heather McCray, Senior Staff Attorney
8. Report from Chief Deputy of Program Operations
 - Gate Clearance Update

For disability related accommodations, please contact the BPH Americans with Disabilities Act Coordinators at (916) 445-6631 or (916) 323-7997, at least five (5) working days prior to the scheduled meeting. All persons and property entering into this facility may be subject to search. No unauthorized weapons are allowed pursuant to Penal Code Section 171b.

9. Report from Chief Deputy of Field Operations

- Administrative Law Judge Hiring

PRESENTATIONS

10. Insight-Out, Guiding Rage into Power (GRIP), presented by Jacques Verduin, Director

OPEN COMMENTS

11. BPH Commissioners – Agenda Items for Future Meetings

12. Public Comment – Comments are limited to five minutes. The public may comment on any item related to Board business. The Board will not consider comments about future parole hearings. Those comments should be sent to the prison where the inmate is housed so that they can be considered by the panel assigned to the case.

MEETING RECESSED TO TUESDAY, MAY 19, 2015

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**BOARD OF PAROLE HEARINGS
Executive Board Meeting
Monday, May 18, 2015**

CLOSED SESSION

(All times are approximate and subject to change.)

1515 K Street
Executive Board Conference Room
Sacramento, California 95814

START TIME: 3:30 p.m.

DISCUSSION

Overview of Facts and Circumstances with Significant Exposure to Litigation

Pursuant to Government Code section 11126(e)(2)(B)(i)

(For purposes of this subdivision, litigation shall be considered pending when any of the following circumstances exist: A point has been reached where, in the opinion of the state body on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the state body.)

Issue

1. Weighing the Suitability Factors, presented by Heather McCray, Senior Staff Attorney

Overview of Pending Litigation and Writs of Habeas Corpus

Pursuant to Government Code section 11126(e)(1)

(Nothing in this article shall be construed to prevent a state body, based on the advice of its legal counsel, from holding a closed session to confer with, or receive advice from, its legal counsel regarding pending litigation when discussion in open session concerning those matters would prejudice the position of the state body in the litigation.)

Issue

1. *In re Sena* (April 20, 2015, H040564) [nonpub. opn.], presented by Veronica Mendoza, Senior Staff Attorney

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**BOARD OF PAROLE HEARINGS
Executive Board Meeting
Tuesday, May 19, 2015**

CLOSED SESSION

(All times are approximate and subject to change.)

1515 K Street
Executive Board Conference Room
Sacramento, California 95814

START TIME: 9:00 a.m.

DISCUSSION

Overview of Pending Litigation and Writs of Habeas Corpus

Pursuant to Government Code section 11126(e)(1)

(Nothing in this article shall be construed to prevent a state body, based on the advice of its legal counsel, from holding a closed session to confer with, or receive advice from, its legal counsel regarding pending litigation when discussion in open session concerning those matters would prejudice the position of the state body in the litigation.)

Issue

1. *Coleman/Plata v. Brown* (E.D. Cal., Case No. 2:90-CV-0520 LKK JFRM P and N.D. Cal., Case No. C01-1351 THE)(pending), presented by Sandra Maciel, Chief Deputy of Program Operations, and Howard Moseley, Chief Counsel

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**BOARD OF PAROLE HEARINGS
Executive Board Meeting
Tuesday, May 19, 2015**

OPEN SESSION

(All times are approximate and subject to change.)

1515 K Street
Executive Board Meeting Room
Suite 550
Sacramento, California 95814

START TIME: 10:00 a.m.

AGENDA

MEETING RECONVENED (Continued from May 18, 2015)

13. Roll Call

EN BANC REFERRALS

14. Referral pursuant to Penal Code section 1170(e) to determine eligibility for recommendation to sentencing court for recall of sentence. Members of the public may address the Board for a period not to exceed five (5) minutes.

A. FRAGOSA, BRUCE B-30394
Sentencing Court(s):
Santa Barbara

B. VILLACRES, CHARLES H-00324
Sentencing Court(s):
Orange

15. Referral by the Chief Counsel pursuant to Penal Code section 3041(b) and California Code of Regulations, title 15, section 2042, to assure complete, accurate, consistent and uniform decisions and the furtherance of public safety. Members of the public may address the Board for a period not to exceed five (5) minutes.

C. BEAUCHAMP, ERIC E-87593 To consider increasing the base term and the adjusted base term (Cal. Code of Regs., tit. 15, § 2041(h).)
Sentencing Court(s):
Los Angeles

D. BREAZEAL, GRADY E-21585 To consider increasing the base term and the adjusted base term (Cal. Code of Regs., tit. 15, § 2041(h).)
Sentencing Court(s):
Los Angeles

E. HART, KEITH H-11417 To consider increasing the base term and the adjusted base term (Cal. Code of Regs., tit. 15, § 2041(h).)
Sentencing Court(s):
Los Angeles

F. KINCHELOE, DALE C-30208 To consider an alleged error of fact regarding the inmate's psychotropic medication
Sentencing Court(s):
Los Angeles

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G. WILLIAMS, KINGSLEY **D-96444**
Sentencing Court(s):
Los Angeles

**To consider increasing the base term
and the adjusted base term (Cal.
Code of Regs., tit. 15, § 2041(h).)**

16. Referral by the Governor pursuant to Penal Code section 3041.1 and California Code of Regulations, title 15, section 2044 to request review of a parole decision by the full board. Members of the public may address the Board for a period not to exceed five (5) minutes.

H. CHRUNIAK, CHARLES **C-38223**
Sentencing Court(s):
Los Angeles

17. Referral by the Governor pursuant to Penal Code section 4802 to review a pardon application. Members of the public may address the Board for a period not to exceed five (5) minutes.

I. DAVIS, DIRK **C-23775**
Sentencing Court(s):
Orange

OPEN COMMENTS

18. Public Comment – Comments are limited to five minutes. The public may comment on any item related to Board business. The Board will not consider comments about future parole hearings. Those comments should be sent to the prison where the inmate is housed so that they can be considered by the panel assigned to the case.

The decisions in the above hearings will be posted as soon as they are finalized in the lobby on the ground floor of 1515 K Street. They will also be posted within 24 hours on the BPH internet page at the following address: www.cdcr.ca.gov/BOPH/enbanc.html.

CLOSED SESSION – EN BANC REFERRALS

Pursuant to Government Code section 11126(c)(4)

("...[N]or shall anything in this article be construed to prevent a state body from holding a closed session when considering and acting upon the determination of a term, parole, or release of any individual or other disposition of an individual case, or if public disclosure of the subjects under discussion nor consideration is expressly prohibited by statute.")

ADJOURNMENT

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